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\*\*E-filed 8/30/05\*\*

## 9 | Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

14 In re CERUS CORPORATION SECURITIES ) Master File No. C-03-5517-JF(RS)  
15 LITIGATION )  
16 \_\_\_\_\_ ) **CLASS ACTION**  
17 This Document Relates To: )  
18 ALL ACTIONS. ) STIPULATION AND [PROPOSED] ORDER  
19 ) CONTINUING CASE MANAGEMENT  
20 ) CONFERENCE

## **STIPULATION**

Pursuant to Local Rules 16-2(e) and 7-12, plaintiffs and defendants, through their counsel submit the following stipulation and proposed order regarding the initial case management conference in this action.

WHEREAS, on May 24, 2005, plaintiffs filed a third amended consolidated complaint;

WHEREAS, defendants have moved to dismiss the Complaint;

7 WHEREAS, pursuant to a stipulation approved by the Court on August 15, 2005, the hearing  
8 on defendants' motion to dismiss is set for November 4, 2005;

9 WHEREAS, a case management conference is scheduled for September 2, 2005, at 10:30  
10 a.m.;

WHEREAS, the parties have met and conferred regarding the scheduling of the case management conference; and

13 WHEREAS, because discovery in this action is stayed pursuant to the Private Securities  
14 Litigation Reform Act, the parties agree that continuing the case management conference would  
15 serve the interests of efficiency and judicial economy;

16 NOW THEREFORE, the parties hereby stipulate to the following:

17       1. The case management conference scheduled for September 2, 2005 shall be continued  
18 to November 4, 2005, at 10:30 a.m.

19 | DATED: August 26, 2005

LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
PATRICK J. COUGHLIN  
JOHN K. GRANT  
LUKE O. BROOKS

/s/ John K. Grant  
JOHN K. GRANT

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12 DATED: August 25, 2005

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24 Attorneys for Defendants

25 \* \* \*

26 **O R D E R**

27 Pursuant to the parties' stipulation, and good cause appearing, IT IS SO ORDERED.

28 1. The case management conference scheduled for September 2, 2005 shall be continued  
19 to November 4, 2005, at 10:30 a.m.  
20

21 DATED: 8/30/05

22 /s/electronic signature authorized

23  
24 THE HONORABLE JEREMY FOGEL  
25 UNITED STATES DISTRICT JUDGE

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10 Lead Counsel for Plaintiffs

11 DATED: August \_\_\_, 2005

12 MORRISON & FOERSTER LLP  
13 MELVIN R. GOLDMAN  
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22 Attorneys for Defendants

23 \* \* \*

24 **O R D E R**

25 Pursuant to the parties' stipulation, and good cause appearing, IT IS SO ORDERED.

26 1. The case management conference scheduled for September 2, 2005 shall be continued  
27 to November 4, 2005, at 10:30 a.m.

28 DATED: \_\_\_\_\_

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29 THE HONORABLE JEREMY FOGEL  
30 UNITED STATES DISTRICT JUDGE

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**DECLARATION OF SERVICE BY MAIL AND FACSIMILE**

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

7       2.       That on August 26, 2005, declarant served the **STIPULATION AND [PROPOSED]**  
8 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE** by depositing a true copy  
9 thereof in a United States mailbox at San Francisco, California in a sealed envelope with postage  
10 thereon fully prepaid and addressed to the parties listed on the attached Service List. Declarant also  
11 served the parties by facsimile.

12           3.       That there is a regular communication by mail between the place of mailing and the  
13 places so addressed.

14 I declare under penalty of perjury that the foregoing is true and correct. Executed this 26th  
15 day of August, 2005, at San Francisco, California.

/s/ Cynthia Sheppard  
**CYNTHIA SHEPPARD**

CERUS CORP. (LEAD)

Service List - 8/25/2005 (03-0399)

Page 1 of 1

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